

CITY-COUNTY GENERAL ORDINANCE NO. 54, 1998
Proposal No. 166, 1998

METROPOLITAN DEVELOPMENT COMMISSION
DOCKET NO. 98-AO-3

A GENERAL ORDINANCE to amend certain sections of the Code of Indianapolis and Marion County, Appendix D, as amended, the Zoning Ordinance for Marion County, and fixing a time when the same shall take effect.

WHEREAS, IC 36-7-4 establishes the Metropolitan Development Commission (MDC) of Marion County, Indiana as the single planning and zoning authority for Marion County, Indiana, and empowers the MDC to approve and recommend to the City-County Council of the City of Indianapolis and of Marion County, Indiana ordinances for the zoning or districting of all lands with the County for the purposes of securing adequate light, air, convenience of access, and safety from fire, flood and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, morals, convenience, and general public welfare; securing the conservation of property values; and securing responsible development and growth,; now, therefore:

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Wellfield Protection Zoning Ordinance of Marion County, Indiana, Code of Indianapolis and Marion County, Indiana, Appendix D, (adopted under Metropolitan Development Commission docket numbers 95-AO-6, 95-AO-13A, 95-AO-13B, 96-AO-6, 97-AO-1, and 97-AO-10), as amended, pursuant to IC 36-7-4 be amended as follows:

That Section 1.00, A be amended by deleting the stricken language and inserting the underscored language as follows:

- A. Studies and evaluations of the W-1 and W-5 districts.
- 1- ~~On or before April 2, 1998, the Department of Public Works, Environmental Resources Management Division ("ERMD") and the Department of Metropolitan Development ("DMD") shall revise the boundaries on the W-1 and W-5 Districts' Maps to conform to property boundaries and city streets.~~
- 2- The W-1 and W-5 districts shall be reevaluated by the Department of Public Works, Environmental Resources Management Division ("ERMD"), with input from a committee including representatives from ERMD, the Department of Metropolitan Development ("DMD"), Health and Hospital Corporation of Marion County, Indiana, and applicable water utilities, no less frequently than every five years to determine the scientific reasonableness of the districts' maps. The first of these reevaluations shall be completed by ERMD on or before December 31, 1998.

SECTION 2. Severability.

If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of the Ordinance that can be given effect without the invalid provision, and for this purpose the provisions of this Ordinance are hereby declared to severable.

SECTION 3. Attestation.

This ordinance shall be in full force and effect upon its adoption in accordance with IC 36-7-4.

The foregoing was passed by the City-County Council this 6th day of April, 1998 at 9:14 p.m.

ATTEST:


Suellen Hart, Clerk, City-County Council


Dr. Beurt SerVaas
President, City-County Council

STATE OF INDIANA, MARION COUNTY)
CITY OF INDIANAPOLIS) SS:
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I, Suellen Hart, Clerk of the City-County Council, Indianapolis, Marion County, Indiana, do hereby certify the above and foregoing is a full, true, and complete copy of Proposal No. 166, 1998, a Proposal for GENERAL ORDINANCE, passed by the City-County Council on the 6th day of April, 1998, by a vote of 25 YEAS and 0 NAYS, and was retitled General Ordinance No. 54, 1998, and now remains on file and on record in my office.

WITNESS my hand and the official seal of the City of Indianapolis, Indiana, this 9th day of April, 1998.


Suellen Hart, Clerk, City-County Council

(SEAL)